

## AGENDA BILL APPROVAL FORM

<b>Agenda Subject:</b> Resolution No. 4448		<b>Date:</b> February 5, 2009
<b>Department:</b> Information Services	<b>Attachments:</b> Resolution No. 4448 Addendum to General Terms & Conditions; Interlocal Agreement	<b>Budget Impact:</b>
<b>Administrative Recommendation:</b> City Council adopt Resolution No. 4448.		
<p><b>Background Summary:</b></p> <p>Several years ago the City of Kirkland, City of Bellevue, Lake Washington School District, and University of Washington formed a consortium to install fiber throughout the school district, connect the two cities, and begin the process to connect educational institutions to the University. Through resource sharing and joint funding, the consortium has built an inter-connected fiber network covering the school district, connecting the two cities, as well as Evergreen Hospital and now the Bellevue School District and Bellevue Community College. In 2006, the City of Renton and Renton School District joined the consortium.</p> <p>City of Auburn has been discussing mutual projects with Renton and the other Valley Communication owner cities to add fiber into this network to provide a dedicated fiber connection to Valley Communications to meet our Public Safety needs. The University of Washington is desirous of completing a connection between their Tacoma Campus and other facilities and education institutions. As a member of the consortium, we will have the ability to work with any of the partner agencies that desire connectivity through our City. This will allow us to cost share the construction and implementation costs making the projects significantly more cost effective for the City of Auburn.</p> <p>This Interlocal Agreement forms a foundation for talking with the other agencies. Each individual project undertaken is contracted as a separate addendum to the general terms and conditions, and is executed by the parties interested in participation.</p> <p>T0217-2 A3.16.12, O4.15</p>		
<b>Reviewed by Council &amp; Committees:</b> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. <b>COUNCIL COMMITTEES:</b> <input checked="" type="checkbox"/> Finance <input checked="" type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____		<b>Reviewed by Departments &amp; Divisions:</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Building  <input type="checkbox"/> Cemetery  <input type="checkbox"/> Finance  <input type="checkbox"/> Fire  <input type="checkbox"/> Legal  <input type="checkbox"/> Public Works  <input type="checkbox"/> Information Services         </div> <div> <input type="checkbox"/> M&amp;O  <input type="checkbox"/> Mayor  <input type="checkbox"/> Parks  <input type="checkbox"/> Planning  <input type="checkbox"/> Police  <input type="checkbox"/> Human Resources         </div> </div>
<b>Action:</b> Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____ <div style="text-align: right;">Call for Public Hearing ____/____/____</div>		
<b>Councilmember:</b> Backus		<b>Staff:</b> Rempher
<b>Meeting Date:</b> February 9, 2009		<b>Item Number:</b> VIII.B.2

**RESOLUTION NO. 4448**

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF AUBURN, WASHINGTON, AUTHORIZING  
THE MAYOR AND CITY CLERK TO ENTER INTO  
AN AGREEMENT FOR SHARING OF FIBER OPTIC  
INSTALLATIONS PROJECTS

WHEREAS, the Cities of Bellevue, Kirkland, Renton and Seattle, the Lake Washington, Renton and Bellevue School Districts, the University of Washington, Bellevue Community College, and Evergreen Hospital entered into an Interlocal Agreement for the sharing of Fiber Optic Installation Projects; and

WHEREAS, the City of Auburn desires to participate in planned and future fiber optic projects under those same General Terms and Conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, KING COUNTY, WASHINGTON, HEREBY RESOLVES as follows:

**Section 1.** The Mayor of the City of Auburn and the Auburn City Clerk are hereby authorized to execute an agreement, which will take the form of an Addendum to the "General Terms and Conditions for Sharing of Fiber Optic Installation Projects" between the City of Auburn and Cities of Bellevue, Kirkland, Renton and Seattle, the Lake Washington, Renton and Bellevue School Districts, the University of Washington, Bellevue Community College, and Evergreen Hospital, which agreement shall be in substantial conformity with the Agreement a copy of which is attached hereto, marked as Exhibit "A" and incorporated herein by this reference.

**Section 2.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

**Section 3.** This resolution shall be in full force and effect upon passage and signatures hereon.

Dated and Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

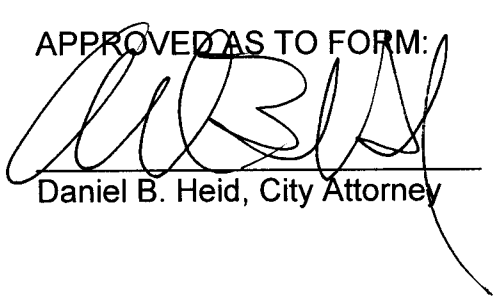
CITY OF AUBURN

\_\_\_\_\_  
PETER B. LEWIS  
MAYOR

ATTEST:

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Daniel B. Heid, City Attorney

**ADDENDUM TO GENERAL TERMS AND CONDITIONS  
For Sharing of Fiber Optic Installation Projects**

**THIS ADDENDUM** is made and entered into on the dates signed below by and among various Participating Agencies and the City of Auburn as an addendum to the General Terms and Conditions for Sharing of Fiber Optic Installation Projects between the parties for \_\_\_\_\_ executed on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, and most recently amended on \_\_\_\_\_.

WHEREAS, the Cities of Bellevue, Kirkland, Renton, and Seattle, the Lake Washington, Renton and Bellevue School Districts, the University of Washington, Bellevue Community College, and Evergreen Hospital ("Participating Agencies") have entered into the General Terms and Conditions for Sharing of Fiber Optic Installation Projects; and,

WHEREAS, the City of Auburn desire to participate in planned and future fiber optic projects under those same General Terms and Conditions; and,

WHEREAS, the Participating Agencies wish to amend the General Terms and Conditions to add the City of Auburn as a participating Agency.

NOW THEREFORE in consideration of their mutual covenants, conditions and promises, the Parties agree as follows:

1. As provided for in Section IX, paragraph N, the Valley Cities signing this Addendum shall become Participating Agencies.

2. The City of Auburn acknowledge that they have received the General Terms and Conditions, including Addenda Numbers 1 through \_\_\_\_\_, and agree to be bound by the same.

3. All other provisions of the General Terms and Conditions shall remain in full force and effect.

4. This Addendum may be signed in counterpart.

**IN WITNESS WHEREOF** the parties hereto have executed this Addendum as of the dates

signed below.

CITY OF KIRKLAND

Approved as to form:

\_\_\_\_\_  
David Ramsay, City Manager    Date

\_\_\_\_\_  
City Attorney

CITY OF BELLEVUE

Approved as to form:

\_\_\_\_\_  
Steve Sarkozy, City Manager    Date

\_\_\_\_\_  
City Attorney

CITY OF RENTON

Approved as to form:

\_\_\_\_\_  
Denis Law, Mayor    Date

\_\_\_\_\_  
City Attorney

UNIVERSITY OF WASHINGTON

Approved as to form:

\_\_\_\_\_, \_\_\_\_\_    Date

\_\_\_\_\_  
Assistant Attorney General

BELLEVUE COMMUNITY COLLEGE

Approved as to form:

\_\_\_\_\_, President    Date

\_\_\_\_\_  
Assistant Attorney General

LAKE WASHINGTON SCHOOL DISTRICT

\_\_\_\_\_, President    Date

RENTON SCHOOL DISTRICT

\_\_\_\_\_, President    Date

BELLEVUE SCHOOL DISTRICT

\_\_\_\_\_, President    Date

EVERGREEN HOSPITAL

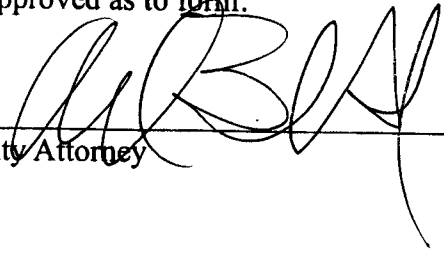
\_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_ Date

CITY OF AUBURN

Approved as to form:

\_\_\_\_\_  
Peter B. Lewis, Mayor Date

\_\_\_\_\_  
City Attorney

A handwritten signature in black ink, appearing to be 'A. B. Lewis', is written over a horizontal line. The signature is stylized with large, looped letters.